

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Roberto Lanzo et al.) Group Art Unit: 2617
)
Application No. 10/588,371) Examiner: Babar Sarwar
)
Filed: May 15, 2007)
) Confirmation No. 9215
For: METHOD AND SYSTEM FOR RADIO)
COVERAGE PLANNING WITH)
MULTIPLE RESOLUTION PROFILE)
APPROACH)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, Telecom Italia S.p.A., duly organized under the laws of Italy and having its principal place of business at Piazza degli Affari, 2, I-20123, Milano, Italy, represents that it is the assignee of the entire right, title and interest in and to the above-identified U.S. Patent Application No. 10/588,371, filed May 15, 2007, for METHOD AND SYSTEM FOR RADIO COVERAGE PLANNING WITH MULTIPLE RESOLUTION PROFILE APPROACH in the names of Roberto Lanzo, Alessandro Leoni, and Loris Stola, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 018180, Frame 0252 on August 4, 2006. Assignee, Telecom Italia S.p.A., further represents that it is the assignee of the entire right, title and interest in and to copending U.S. Patent Application No. 10/588,370, as

indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 018180, Frame 0236 on August 4, 2006.

To obviate a provisional double patenting rejection in view of U.S. Patent Application No. 10/588,370, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application No. 10/588,370. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on U.S. Patent Application No. 10/588,370 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent granted on U.S. Patent Application No. 10/588,370, as shortened by any terminal disclaimer, in the event that any patent granted on U.S. Patent Application No. 10/588,370 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.


In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee payment of \$140.00 is being filed with this disclaimer. If a payment for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of

this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 23, 2009

By: 
Anthony Gutowski
Reg. No. 38,742